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ENGROSSED SUBSTITUTE SENATE BILL 5717

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State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Financial Services, Insurance & Housing  
(originally sponsored by Senators Winsley, Prentice and Benton)

READ FIRST TIME 03/03/03.

1 AN ACT Relating to possession of instruments or equipment of  
2 financial fraud; amending RCW 9A.56.280, 9A.56.290, and 9A.60.020;  
3 reenacting and amending RCW 9A.82.010, 9.94A.515, and 9.94A.515; adding  
4 new sections to chapter 9A.56 RCW; prescribing penalties; providing an  
5 effective date; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.56 RCW  
8 to read as follows:

9 (1) A person is guilty of unlawful production of payment  
10 instruments if he or she prints or produces a check or other payment  
11 instrument in the name of a person or entity, or with the routing  
12 number or account number of a person or entity, without the permission  
13 of the person or entity to manufacture or reproduce such payment  
14 instrument with such name, routing number, or account number.

15 (2)(a) A person is guilty of unlawful possession of payment  
16 instruments if he or she possesses two or more checks or other payment  
17 instruments, alone or in combination:

1 (i) In the name of a person or entity, or with the routing number  
2 or account number of a person or entity, without the permission of the  
3 person or entity to possess such payment instrument; or

4 (ii) In the name of a fictitious person or entity, or with a  
5 fictitious routing number or account number of a person or entity, with  
6 intent to use the payment instruments to commit a crime.

7 (b) (a)(i) of this subsection does not apply to:

8 (i) A person, business, or other entity, who has lawful possession  
9 of a check, which is endorsed to that person, business, or other  
10 entity; and

11 (ii) A financial institution or other entity that processes checks  
12 for a lawful business purpose.

13 (3) A person is guilty of unlawful possession of a personal  
14 identification device if the person possesses a personal identification  
15 device with intent to use such device to commit a crime. "Personal  
16 identification device" includes any machine or instrument whose purpose  
17 is to manufacture or print any driver's license or identification card  
18 issued by any state or the federal government, or any employee  
19 identification issued by any employer, public or private, including but  
20 not limited to badges and identification cards, or any credit or debit  
21 card.

22 (4) A person is guilty of unlawful possession of fictitious  
23 identification if the person possesses a personal identification card  
24 with a fictitious person's identification with intent to use such  
25 identification card to commit a crime of theft, forgery, or any other  
26 crime created in this act.

27 (5) A person is guilty of unlawful possession of instruments of  
28 financial fraud if the person possesses a check-making machine,  
29 equipment, or software, with intent to use or distribute checks for  
30 purposes of defrauding an account holder, business, financial  
31 institution, or any other person or organization.

32 (6) This section does not apply to:

33 (a) A person who obtains another person's personal identification  
34 for the sole purpose of misrepresenting his or her age;

35 (b) A person engaged in a lawful business who obtains another  
36 person's personal identification in the ordinary course of business;  
37 and

1 (c) A law enforcement agency as defined in RCW 10.93.020 (1) and  
2 (2) that produces or displays counterfeit credit or debit cards, checks  
3 or other payment instruments, or personal identification devices for  
4 investigative or educational purposes.

5 (7) In a proceeding under this section that is related to an  
6 identity theft under RCW 9.35.020, the crime will be considered to have  
7 been committed in any locality where the person whose means of  
8 identification or financial information was appropriated resides, or in  
9 which any part of the offense took place, regardless of whether the  
10 defendant was ever actually in that locality.

11 (8) A violation of this section is a class C felony.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.56 RCW  
13 to read as follows:

14 (1) A person is guilty of possession of another's identification if  
15 the person possesses personal identification bearing another person's  
16 identity, when the person possessing the personal identification does  
17 not have the other person's permission to possess it, and when the  
18 possession does not amount to a violation of RCW 9.35.020.

19 (2) This section does not apply to:

20 (a) A person who obtains another person's personal identification  
21 for the sole purpose of misrepresenting his or her age; and

22 (b) A law enforcement agency that produces or displays counterfeit  
23 credit or debit cards, checks or other payment instruments, or personal  
24 identification for investigative or educational purposes.

25 (3) In a proceeding under this section that is related to an  
26 identity theft under RCW 9.35.020, the crime will be considered to have  
27 been committed in any locality where the person whose means of  
28 identification or financial information was appropriated resides, or in  
29 which any part of the offense took place, regardless of whether the  
30 defendant was ever actually in that locality.

31 (4) A violation of this section is a gross misdemeanor.

32 **Sec. 3.** RCW 9A.56.280 and 1993 c 484 s 1 are each amended to read  
33 as follows:

34 As used in RCW 9A.56.280 (~~and~~), 9A.56.290, 9A.60.020, and  
35 sections 1 and 2 of this act, unless the context requires otherwise:

1 (1) "Cardholder" means a person to whom a credit card is issued or  
2 a person who otherwise is authorized to use a credit card.

3 (2) "Check" means a negotiable instrument that meets the definition  
4 of "check" under RCW 62A.3-104 or a blank form instrument that would  
5 meet the definition of "check" under RCW 62A.3-104 if it were completed  
6 and signed.

7 (3) "Credit card" means a card, plate, booklet, credit card number,  
8 credit card account number, or other identifying symbol, instrument, or  
9 device that can be used to pay for, or to obtain on credit, goods or  
10 services.

11 ~~((3))~~ (4) "Credit card transaction" means a sale or other  
12 transaction in which a credit card is used to pay for, or to obtain on  
13 credit, goods or services.

14 ~~((4))~~ (5) "Credit card transaction record" means a record or  
15 evidence of a credit card transaction, including, without limitation,  
16 a paper, sales draft, instrument, or other writing and an electronic or  
17 magnetic transmission or record.

18 ~~((5))~~ (6) "Debit card" means a card used to obtain goods or  
19 services by a transaction that debits the cardholder's account, rather  
20 than extending credit.

21 (7) "Financial information" means financial information as defined  
22 in RCW 9.35.005.

23 (8) "Financial institution" means a bank, trust company, mutual  
24 savings bank, savings and loan association, or credit union authorized  
25 under state or federal law to do business and accept deposits in  
26 Washington.

27 ~~((6))~~ (9) "Means of identification" means means of identification  
28 as defined in RCW 9.35.005.

29 (10) "Merchant" means a person authorized by a financial  
30 institution to honor or accept credit cards in payment for goods or  
31 services.

32 ~~((7))~~ (11) "Person" means an individual, partnership,  
33 corporation, trust, or unincorporated association, but does not include  
34 a financial institution or its authorized employees, representatives,  
35 or agents.

36 (12) "Personal identification" includes any document, card, or  
37 other item that contains a means of identification.

1       **Sec. 4.** RCW 9A.56.290 and 1993 c 484 s 2 are each amended to read  
2 as follows:

3       (1) A person commits the crime of unlawful factoring of a credit  
4 card transaction if the person, with intent to commit fraud or theft  
5 against a cardholder, credit card issuer, or financial institution,  
6 causes any such party or parties to suffer actual monetary damages that  
7 in the aggregate exceed one thousand dollars, by:

8       (a) Presenting to or depositing with, or causing another to present  
9 to or deposit with, a financial institution for payment a credit card  
10 transaction record that is not the result of a credit card transaction  
11 between the cardholder and the person;

12       (b) Employing, soliciting, or otherwise causing a merchant or an  
13 employee, representative, or agent of a merchant to present to or  
14 deposit with a financial institution for payment a credit card  
15 transaction record that is not the result of a credit card transaction  
16 between the cardholder and the merchant; or

17       (c) Employing, soliciting, or otherwise causing another to become  
18 a merchant for purposes of engaging in conduct made unlawful by this  
19 section.

20       (2) Normal transactions conducted by or through airline reporting  
21 corporation-appointed travel agents or cruise-only travel agents  
22 recognized by passenger cruise lines are not considered factoring for  
23 the purposes of this section.

24       (3) In a proceeding under this section that is related to an  
25 identity theft under RCW 9.35.020, the crime will be considered to have  
26 been committed in any locality where the person whose means of  
27 identification or financial information was appropriated resides, or in  
28 which any part of the offense took place, regardless of whether the  
29 defendant was ever actually in that locality.

30       (4) Unlawful factoring of a credit card transaction is a class C  
31 felony.

32       **Sec. 5.** RCW 9A.60.020 and 1975-'76 2nd ex.s. c 38 s 13 are each  
33 amended to read as follows:

34       (1) A person is guilty of forgery if, with intent to injure or  
35 defraud:

36       (a) He falsely makes, completes, or alters a written instrument or;

1 (b) He possesses, utters, offers, disposes of, or puts off as true  
2 a written instrument which he knows to be forged.

3 (2) In a proceeding under this section that is related to an  
4 identity theft under RCW 9.35.020, the crime will be considered to have  
5 been committed in any locality where the person whose means of  
6 identification or financial information was appropriated resides, or in  
7 which any part of the offense took place, regardless of whether the  
8 defendant was ever actually in that locality.

9 (3) Forgery is a class C felony.

10 **Sec. 6.** RCW 9A.82.010 and 2001 c 222 s 3 and 2001 c 217 s 11 are  
11 each reenacted and amended to read as follows:

12 Unless the context requires the contrary, the definitions in this  
13 section apply throughout this chapter.

14 (1)(a) "Beneficial interest" means:

15 (i) The interest of a person as a beneficiary under a trust  
16 established under Title 11 RCW in which the trustee for the trust holds  
17 legal or record title to real property;

18 (ii) The interest of a person as a beneficiary under any other  
19 trust arrangement under which a trustee holds legal or record title to  
20 real property for the benefit of the beneficiary; or

21 (iii) The interest of a person under any other form of express  
22 fiduciary arrangement under which one person holds legal or record  
23 title to real property for the benefit of the other person.

24 (b) "Beneficial interest" does not include the interest of a  
25 stockholder in a corporation or the interest of a partner in a general  
26 partnership or limited partnership.

27 (c) A beneficial interest is considered to be located where the  
28 real property owned by the trustee is located.

29 (2) "Control" means the possession of a sufficient interest to  
30 permit substantial direction over the affairs of an enterprise.

31 (3) "Creditor" means a person making an extension of credit or a  
32 person claiming by, under, or through a person making an extension of  
33 credit.

34 (4) "Criminal profiteering" means any act, including any  
35 anticipatory or completed offense, committed for financial gain, that  
36 is chargeable or indictable under the laws of the state in which the  
37 act occurred and, if the act occurred in a state other than this state,

1 would be chargeable or indictable under the laws of this state had the  
2 act occurred in this state and punishable as a felony and by  
3 imprisonment for more than one year, regardless of whether the act is  
4 charged or indicted, as any of the following:

5 (a) Murder, as defined in RCW 9A.32.030 and 9A.32.050;  
6 (b) Robbery, as defined in RCW 9A.56.200 and 9A.56.210;  
7 (c) Kidnapping, as defined in RCW 9A.40.020 and 9A.40.030;  
8 (d) Forgery, as defined in RCW 9A.60.020 and 9A.60.030;  
9 (e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060, and  
10 9A.56.080;

11 (f) Unlawful sale of subscription television services, as defined  
12 in RCW 9A.56.230;

13 (g) Theft of telecommunication services or unlawful manufacture of  
14 a telecommunication device, as defined in RCW 9A.56.262 and 9A.56.264;

15 (h) Child selling or child buying, as defined in RCW 9A.64.030;

16 (i) Bribery, as defined in RCW 9A.68.010, 9A.68.020, 9A.68.040, and  
17 9A.68.050;

18 (j) Gambling, as defined in RCW 9.46.220 and 9.46.215 and 9.46.217;

19 (k) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;

20 (l) Unlawful production of payment instruments, unlawful possession  
21 of payment instruments, unlawful possession of a personal  
22 identification device, unlawful possession of fictitious  
23 identification, or unlawful possession of instruments of financial  
24 fraud, as defined in section 1 of this act;

25 (m) Extortionate extension of credit, as defined in RCW 9A.82.020;

26 (~~(m)~~) (n) Advancing money for use in an extortionate extension of  
27 credit, as defined in RCW 9A.82.030;

28 (~~(n)~~) (o) Collection of an extortionate extension of credit, as  
29 defined in RCW 9A.82.040;

30 (~~(o)~~) (p) Collection of an unlawful debt, as defined in RCW  
31 9A.82.045;

32 (~~(p)~~) (q) Delivery or manufacture of controlled substances or  
33 possession with intent to deliver or manufacture controlled substances  
34 under chapter 69.50 RCW;

35 (~~(q)~~) (r) Trafficking in stolen property, as defined in RCW  
36 9A.82.050;

37 (~~(r)~~) (s) Leading organized crime, as defined in RCW 9A.82.060;

38 (~~(s)~~) (t) Money laundering, as defined in RCW 9A.83.020;

1       ~~((t))~~ (u) Obstructing criminal investigations or prosecutions in  
2 violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120, 9A.72.130,  
3 9A.76.070, or 9A.76.180;  
4       ~~((u))~~ (v) Fraud in the purchase or sale of securities, as defined  
5 in RCW 21.20.010;  
6       ~~((v))~~ (w) Promoting pornography, as defined in RCW 9.68.140;  
7       ~~((w))~~ (x) Sexual exploitation of children, as defined in RCW  
8 9.68A.040, 9.68A.050, and 9.68A.060;  
9       ~~((x))~~ (y) Promoting prostitution, as defined in RCW 9A.88.070 and  
10 9A.88.080;  
11       ~~((y))~~ (z) Arson, as defined in RCW 9A.48.020 and 9A.48.030;  
12       ~~((z))~~ (aa) Assault, as defined in RCW 9A.36.011 and 9A.36.021;  
13       ~~((aa))~~ (bb) Assault of a child, as defined in RCW 9A.36.120 and  
14 9A.36.130;  
15       ~~((bb))~~ (cc) A pattern of equity skimming, as defined in RCW  
16 61.34.020;  
17       ~~((cc))~~ (dd) Commercial telephone solicitation in violation of RCW  
18 19.158.040(1);  
19       ~~((dd))~~ (ee) Trafficking in insurance claims, as defined in RCW  
20 48.30A.015;  
21       ~~((ee))~~ (ff) Unlawful practice of law, as defined in RCW 2.48.180;  
22       ~~((ff))~~ (gg) Commercial bribery, as defined in RCW 9A.68.060;  
23       ~~((gg))~~ (hh) Health care false claims, as defined in RCW  
24 48.80.030;  
25       ~~((hh))~~ (ii) Unlicensed practice of a profession or business, as  
26 defined in RCW 18.130.190(7);  
27       ~~((ii))~~ (jj) Improperly obtaining financial information, as  
28 defined in RCW 9.35.010; or  
29       ~~((jj))~~ (kk) Identity theft, as defined in RCW 9.35.020.  
30       (5) "Dealer in property" means a person who buys and sells property  
31 as a business.  
32       (6) "Debtor" means a person to whom an extension of credit is made  
33 or a person who guarantees the repayment of an extension of credit or  
34 in any manner undertakes to indemnify the creditor against loss  
35 resulting from the failure of a person to whom an extension is made to  
36 repay the same.  
37       (7) "Documentary material" means any book, paper, document,  
38 writing, drawing, graph, chart, photograph, phonograph record, magnetic

1 tape, computer printout, other data compilation from which information  
2 can be obtained or from which information can be translated into usable  
3 form, or other tangible item.

4 (8) "Enterprise" includes any individual, sole proprietorship,  
5 partnership, corporation, business trust, or other profit or nonprofit  
6 legal entity, and includes any union, association, or group of  
7 individuals associated in fact although not a legal entity, and both  
8 illicit and licit enterprises and governmental and nongovernmental  
9 entities.

10 (9) "Extortionate extension of credit" means an extension of credit  
11 with respect to which it is the understanding of the creditor and the  
12 debtor at the time the extension is made that delay in making repayment  
13 or failure to make repayment could result in the use of violence or  
14 other criminal means to cause harm to the person, reputation, or  
15 property of any person.

16 (10) "Extortionate means" means the use, or an express or implicit  
17 threat of use, of violence or other criminal means to cause harm to the  
18 person, reputation, or property of any person.

19 (11) "Financial institution" means any bank, trust company, savings  
20 and loan association, savings bank, mutual savings bank, credit union,  
21 or loan company under the jurisdiction of the state or an agency of the  
22 United States.

23 (12) "Pattern of criminal profiteering activity" means engaging in  
24 at least three acts of criminal profiteering, one of which occurred  
25 after July 1, 1985, and the last of which occurred within five years,  
26 excluding any period of imprisonment, after the commission of the  
27 earliest act of criminal profiteering. In order to constitute a  
28 pattern, the three acts must have the same or similar intent, results,  
29 accomplices, principals, victims, or methods of commission, or be  
30 otherwise interrelated by distinguishing characteristics including a  
31 nexus to the same enterprise, and must not be isolated events.  
32 However, in any civil proceedings brought pursuant to RCW 9A.82.100 by  
33 any person other than the attorney general or county prosecuting  
34 attorney in which one or more acts of fraud in the purchase or sale of  
35 securities are asserted as acts of criminal profiteering activity, it  
36 is a condition to civil liability under RCW 9A.82.100 that the  
37 defendant has been convicted in a criminal proceeding of fraud in the  
38 purchase or sale of securities under RCW 21.20.400 or under the laws of

1 another state or of the United States requiring the same elements of  
2 proof, but such conviction need not relate to any act or acts asserted  
3 as acts of criminal profiteering activity in such civil action under  
4 RCW 9A.82.100.

5 (13) "Real property" means any real property or interest in real  
6 property, including but not limited to a land sale contract, lease, or  
7 mortgage of real property.

8 (14) "Records" means any book, paper, writing, record, computer  
9 program, or other material.

10 (15) "Repayment of an extension of credit" means the repayment,  
11 satisfaction, or discharge in whole or in part of a debt or claim,  
12 acknowledged or disputed, valid or invalid, resulting from or in  
13 connection with that extension of credit.

14 (16) "Stolen property" means property that has been obtained by  
15 theft, robbery, or extortion.

16 (17) "To collect an extension of credit" means to induce in any way  
17 a person to make repayment thereof.

18 (18) "To extend credit" means to make or renew a loan or to enter  
19 into an agreement, tacit or express, whereby the repayment or  
20 satisfaction of a debt or claim, whether acknowledged or disputed,  
21 valid or invalid, and however arising, may or shall be deferred.

22 (19) "Traffic" means to sell, transfer, distribute, dispense, or  
23 otherwise dispose of stolen property to another person, or to buy,  
24 receive, possess, or obtain control of stolen property, with intent to  
25 sell, transfer, distribute, dispense, or otherwise dispose of the  
26 property to another person.

27 (20)(a) "Trustee" means:

28 (i) A person acting as a trustee under a trust established under  
29 Title 11 RCW in which the trustee holds legal or record title to real  
30 property;

31 (ii) A person who holds legal or record title to real property in  
32 which another person has a beneficial interest; or

33 (iii) A successor trustee to a person who is a trustee under (a)(i)  
34 or (ii) of this subsection.

35 (b) "Trustee" does not mean a person appointed or acting as:

36 (i) A personal representative under Title 11 RCW;

37 (ii) A trustee of any testamentary trust;

1 (iii) A trustee of any indenture of trust under which a bond is  
 2 issued; or  
 3 (iv) A trustee under a deed of trust.  
 4 (21) "Unlawful debt" means any money or other thing of value  
 5 constituting principal or interest of a debt that is legally  
 6 unenforceable in the state in full or in part because the debt was  
 7 incurred or contracted:  
 8 (a) In violation of any one of the following:  
 9 (i) Chapter 67.16 RCW relating to horse racing;  
 10 (ii) Chapter 9.46 RCW relating to gambling;  
 11 (b) In a gambling activity in violation of federal law; or  
 12 (c) In connection with the business of lending money or a thing of  
 13 value at a rate that is at least twice the permitted rate under the  
 14 applicable state or federal law relating to usury.

15 **Sec. 7.** RCW 9.94A.515 and 2002 c 340 s 2, 2002 c 324 s 2, 2002 c  
 16 290 s 2, 2002 c 253 s 4, 2002 c 229 s 2, 2002 c 134 s 2, and 2002 c 133  
 17 s 4 are each reenacted and amended to read as follows:

18

TABLE 2

19

CRIMES INCLUDED WITHIN

20

EACH SERIOUSNESS LEVEL

21	XVI	Aggravated Murder 1 (RCW
22		10.95.020)
23	XV	Homicide by abuse (RCW 9A.32.055)
24		Malicious explosion 1 (RCW
25		70.74.280(1))
26		Murder 1 (RCW 9A.32.030)
27	XIV	Murder 2 (RCW 9A.32.050)
28	XIII	Malicious explosion 2 (RCW
29		70.74.280(2))
30		Malicious placement of an explosive 1
31		(RCW 70.74.270(1))
32	XII	Assault 1 (RCW 9A.36.011)
33		Assault of a Child 1 (RCW 9A.36.120)
34		Malicious placement of an imitation
35		device 1 (RCW 70.74.272(1)(a))

1 Rape 1 (RCW 9A.44.040)  
2 Rape of a Child 1 (RCW 9A.44.073)  
3 XI Manslaughter 1 (RCW 9A.32.060)  
4 Rape 2 (RCW 9A.44.050)  
5 Rape of a Child 2 (RCW 9A.44.076)  
6 X Child Molestation 1 (RCW 9A.44.083)  
7 Indecent Liberties (with forcible  
8 compulsion) (RCW  
9 9A.44.100(1)(a))  
10 Kidnapping 1 (RCW 9A.40.020)  
11 Leading Organized Crime (RCW  
12 9A.82.060(1)(a))  
13 Malicious explosion 3 (RCW  
14 70.74.280(3))  
15 Manufacture of methamphetamine  
16 (RCW 69.50.401(a)(1)(ii))  
17 Over 18 and deliver heroin,  
18 methamphetamine, a narcotic  
19 from Schedule I or II, or  
20 flunitrazepam from Schedule IV  
21 to someone under 18 (RCW  
22 69.50.406)  
23 Sexually Violent Predator Escape  
24 (RCW 9A.76.115)  
25 IX Assault of a Child 2 (RCW 9A.36.130)  
26 Controlled Substance Homicide (RCW  
27 69.50.415)  
28 Explosive devices prohibited (RCW  
29 70.74.180)  
30 Hit and Run--Death (RCW  
31 46.52.020(4)(a))  
32 Homicide by Watercraft, by being  
33 under the influence of intoxicating  
34 liquor or any drug (RCW  
35 79A.60.050)  
36 Inciting Criminal Profiteering (RCW  
37 9A.82.060(1)(b))

1 Malicious placement of an explosive 2  
2 (RCW 70.74.270(2))  
3 Over 18 and deliver narcotic from  
4 Schedule III, IV, or V or a  
5 nonnarcotic, except flunitrazepam  
6 or methamphetamine, from  
7 Schedule I-V to someone under 18  
8 and 3 years junior (RCW  
9 69.50.406)  
10 Robbery 1 (RCW 9A.56.200)  
11 Sexual Exploitation (RCW 9.68A.040)  
12 Vehicular Homicide, by being under  
13 the influence of intoxicating  
14 liquor or any drug (RCW  
15 46.61.520)  
16 VIII Arson 1 (RCW 9A.48.020)  
17 Deliver or possess with intent to  
18 deliver methamphetamine (RCW  
19 69.50.401(a)(1)(ii))  
20 Homicide by Watercraft, by the  
21 operation of any vessel in a  
22 reckless manner (RCW  
23 79A.60.050)  
24 Manslaughter 2 (RCW 9A.32.070)  
25 Manufacture, deliver, or possess with  
26 intent to deliver amphetamine  
27 (RCW 69.50.401(a)(1)(ii))  
28 Manufacture, deliver, or possess with  
29 intent to deliver heroin or cocaine  
30 (when the offender has a criminal  
31 history in this state or any other  
32 state that includes a sex offense or  
33 serious violent offense or the  
34 Washington equivalent) (RCW  
35 69.50.401(a)(1)(i))

1 Possession of Ephedrine or any of its  
2 Salts or Isomers or Salts of  
3 Isomers, Pseudoephedrine or any  
4 of its Salts or Isomers or Salts of  
5 Isomers, Pressurized Ammonia  
6 Gas, or Pressurized Ammonia Gas  
7 Solution with intent to  
8 manufacture methamphetamine  
9 (RCW 69.50.440)

10 Promoting Prostitution 1 (RCW  
11 9A.88.070)

12 Selling for profit (controlled or  
13 counterfeit) any controlled  
14 substance (RCW 69.50.410)

15 Theft of Ammonia (RCW 69.55.010)

16 Vehicular Homicide, by the operation  
17 of any vehicle in a reckless  
18 manner (RCW 46.61.520)

19 VII Burglary 1 (RCW 9A.52.020)

20 Child Molestation 2 (RCW 9A.44.086)

21 Civil Disorder Training (RCW  
22 9A.48.120)

23 Dealing in depictions of minor  
24 engaged in sexually explicit  
25 conduct (RCW 9.68A.050)

26 Drive-by Shooting (RCW 9A.36.045)

27 Homicide by Watercraft, by disregard  
28 for the safety of others (RCW  
29 79A.60.050)

30 Indecent Liberties (without forcible  
31 compulsion) (RCW 9A.44.100(1)  
32 (b) and (c))

33 Introducing Contraband 1 (RCW  
34 9A.76.140)

35 Involving a minor in drug dealing  
36 (RCW 69.50.401(f))

1 Malicious placement of an explosive 3  
2 (RCW 70.74.270(3))  
3 Manufacture, deliver, or possess with  
4 intent to deliver heroin or cocaine  
5 (except when the offender has a  
6 criminal history in this state or  
7 any other state that includes a sex  
8 offense or serious violent offense  
9 or the Washington equivalent)  
10 (RCW 69.50.401(a)(1)(i))  
11 Sending, bringing into state depictions  
12 of minor engaged in sexually  
13 explicit conduct (RCW  
14 9.68A.060)  
15 Unlawful Possession of a Firearm in  
16 the first degree (RCW  
17 9.41.040(1)(a))  
18 Use of a Machine Gun in Commission  
19 of a Felony (RCW 9.41.225)  
20 Vehicular Homicide, by disregard for  
21 the safety of others (RCW  
22 46.61.520)  
23 VI Bail Jumping with Murder 1 (RCW  
24 9A.76.170(3)(a))  
25 Bribery (RCW 9A.68.010)  
26 Incest 1 (RCW 9A.64.020(1))  
27 Intimidating a Judge (RCW  
28 9A.72.160)  
29 Intimidating a Juror/Witness (RCW  
30 9A.72.110, 9A.72.130)  
31 Malicious placement of an imitation  
32 device 2 (RCW 70.74.272(1)(b))

1 Manufacture, deliver, or possess with  
2 intent to deliver narcotics from  
3 Schedule I or II (except heroin or  
4 cocaine) or flunitrazepam from  
5 Schedule IV (RCW  
6 69.50.401(a)(1)(i))  
7 Rape of a Child 3 (RCW 9A.44.079)  
8 Theft of a Firearm (RCW 9A.56.300)  
9 Unlawful Storage of Ammonia (RCW  
10 69.55.020)  
11 V Abandonment of dependent person 1  
12 (RCW 9A.42.060)  
13 Advancing money or property for  
14 extortionate extension of credit  
15 (RCW 9A.82.030)  
16 Bail Jumping with class A Felony  
17 (RCW 9A.76.170(3)(b))  
18 Child Molestation 3 (RCW 9A.44.089)  
19 Criminal Mistreatment 1 (RCW  
20 9A.42.020)  
21 Custodial Sexual Misconduct 1 (RCW  
22 9A.44.160)  
23 Delivery of imitation controlled  
24 substance by person eighteen or  
25 over to person under eighteen  
26 (RCW 69.52.030(2))  
27 Domestic Violence Court Order  
28 Violation (RCW 10.99.040,  
29 10.99.050, 26.09.300, 26.10.220,  
30 26.26.138, 26.50.110, 26.52.070,  
31 or 74.34.145)  
32 Extortion 1 (RCW 9A.56.120)  
33 Extortionate Extension of Credit  
34 (RCW 9A.82.020)  
35 Extortionate Means to Collect  
36 Extensions of Credit (RCW  
37 9A.82.040)

1 Incest 2 (RCW 9A.64.020(2))  
2 Kidnapping 2 (RCW 9A.40.030)  
3 Perjury 1 (RCW 9A.72.020)  
4 Persistent prison misbehavior (RCW  
5 9.94.070)  
6 Possession of a Stolen Firearm (RCW  
7 9A.56.310)  
8 Rape 3 (RCW 9A.44.060)  
9 Rendering Criminal Assistance 1  
10 (RCW 9A.76.070)  
11 Sexual Misconduct with a Minor 1  
12 (RCW 9A.44.093)  
13 Sexually Violating Human Remains  
14 (RCW 9A.44.105)  
15 Stalking (RCW 9A.46.110)  
16 Taking Motor Vehicle Without  
17 Permission 1 (RCW  
18 9A.56.070(1))  
19 IV Arson 2 (RCW 9A.48.030)  
20 Assault 2 (RCW 9A.36.021)  
21 Assault by Watercraft (RCW  
22 79A.60.060)  
23 Bribing a Witness/Bribe Received by  
24 Witness (RCW 9A.72.090,  
25 9A.72.100)  
26 Cheating 1 (RCW 9.46.1961)  
27 Commercial Bribery (RCW  
28 9A.68.060)  
29 Counterfeiting (RCW 9.16.035(4))  
30 Endangerment with a Controlled  
31 Substance (RCW 9A.42.100)  
32 Escape 1 (RCW 9A.76.110)  
33 Hit and Run--Injury (RCW  
34 46.52.020(4)(b))  
35 Hit and Run with Vessel--Injury  
36 Accident (RCW 79A.60.200(3))  
37 Identity Theft 1 (RCW 9.35.020(2)(a))

1 Indecent Exposure to Person Under  
2 Age Fourteen (subsequent sex  
3 offense) (RCW 9A.88.010)  
4 Influencing Outcome of Sporting  
5 Event (RCW 9A.82.070)  
6 Knowingly Trafficking in Stolen  
7 Property (RCW 9A.82.050(2))  
8 Malicious Harassment (RCW  
9 9A.36.080)  
10 Manufacture, deliver, or possess with  
11 intent to deliver narcotics from  
12 Schedule III, IV, or V or  
13 nonnarcotics from Schedule I-V  
14 (except marijuana, amphetamine,  
15 methamphetamines, or  
16 flunitrazepam) (RCW  
17 69.50.401(a)(1) (iii) through (v))  
18 Residential Burglary (RCW  
19 9A.52.025)  
20 Robbery 2 (RCW 9A.56.210)  
21 Theft of Livestock 1 (RCW 9A.56.080)  
22 Threats to Bomb (RCW 9.61.160)  
23 Use of Proceeds of Criminal  
24 Profiteering (RCW 9A.82.080 (1)  
25 and (2))  
26 Vehicular Assault, by being under the  
27 influence of intoxicating liquor or  
28 any drug, or by the operation or  
29 driving of a vehicle in a reckless  
30 manner (RCW 46.61.522)  
31 Willful Failure to Return from  
32 Furlough (RCW 72.66.060)  
33 III Abandonment of dependent person 2  
34 (RCW 9A.42.070)  
35 Assault 3 (RCW 9A.36.031)  
36 Assault of a Child 3 (RCW 9A.36.140)

1 Bail Jumping with class B or C Felony  
2 (RCW 9A.76.170(3)(c))  
3 Burglary 2 (RCW 9A.52.030)  
4 Communication with a Minor for  
5 Immoral Purposes (RCW  
6 9.68A.090)  
7 Criminal Gang Intimidation (RCW  
8 9A.46.120)  
9 Criminal Mistreatment 2 (RCW  
10 9A.42.030)  
11 Custodial Assault (RCW 9A.36.100)  
12 Delivery of a material in lieu of a  
13 controlled substance (RCW  
14 69.50.401(c))  
15 Escape 2 (RCW 9A.76.120)  
16 Extortion 2 (RCW 9A.56.130)  
17 Harassment (RCW 9A.46.020)  
18 Intimidating a Public Servant (RCW  
19 9A.76.180)  
20 Introducing Contraband 2 (RCW  
21 9A.76.150)  
22 Maintaining a Dwelling or Place for  
23 Controlled Substances (RCW  
24 69.50.402(a)(6))  
25 Malicious Injury to Railroad Property  
26 (RCW 81.60.070)  
27 Manufacture, deliver, or possess with  
28 intent to deliver marijuana (RCW  
29 69.50.401(a)(1)(iii))  
30 Manufacture, distribute, or possess  
31 with intent to distribute an  
32 imitation controlled substance  
33 (RCW 69.52.030(1))  
34 Patronizing a Juvenile Prostitute  
35 (RCW 9.68A.100)  
36 Perjury 2 (RCW 9A.72.030)

1 Possession of Incendiary Device (RCW  
2 9.40.120)  
3 Possession of Machine Gun or Short-  
4 Barreled Shotgun or Rifle (RCW  
5 9.41.190)  
6 Promoting Prostitution 2 (RCW  
7 9A.88.080)  
8 Recklessly Trafficking in Stolen  
9 Property (RCW 9A.82.050(1))  
10 Securities Act violation (RCW  
11 21.20.400)  
12 Tampering with a Witness (RCW  
13 9A.72.120)  
14 Telephone Harassment (subsequent  
15 conviction or threat of death)  
16 (RCW 9.61.230)  
17 Theft of Livestock 2 (RCW 9A.56.080)  
18 Unlawful Imprisonment (RCW  
19 9A.40.040)  
20 Unlawful possession of firearm in the  
21 second degree (RCW  
22 9.41.040(1)(b))  
23 Unlawful Use of Building for Drug  
24 Purposes (RCW 69.53.010)  
25 Vehicular Assault, by the operation or  
26 driving of a vehicle with disregard  
27 for the safety of others (RCW  
28 46.61.522)  
29 Willful Failure to Return from Work  
30 Release (RCW 72.65.070)  
31 II Computer Trespass 1 (RCW  
32 9A.52.110)  
33 Counterfeiting (RCW 9.16.035(3))  
34 Create, deliver, or possess a counterfeit  
35 controlled substance (RCW  
36 69.50.401(b))

1 Escape from Community Custody  
2 (RCW 72.09.310)  
3 Health Care False Claims (RCW  
4 48.80.030)  
5 Identity Theft 2 (RCW 9.35.020(2)(b))  
6 Improperly Obtaining Financial  
7 Information (RCW 9.35.010)  
8 Malicious Mischief 1 (RCW  
9 9A.48.070)  
10 Possession of controlled substance that  
11 is either heroin or narcotics from  
12 Schedule I or II or flunitrazepam  
13 from Schedule IV (RCW  
14 69.50.401(d))  
15 Possession of phencyclidine (PCP)  
16 (RCW 69.50.401(d))  
17 Possession of Stolen Property 1 (RCW  
18 9A.56.150)  
19 Theft 1 (RCW 9A.56.030)  
20 Theft of Rental, Leased, or Lease-  
21 purchased Property (valued at one  
22 thousand five hundred dollars or  
23 more) (RCW 9A.56.096(4))  
24 Trafficking in Insurance Claims (RCW  
25 48.30A.015)  
26 Unlawful Practice of Law (RCW  
27 2.48.180)  
28 Unlicensed Practice of a Profession or  
29 Business (RCW 18.130.190(7))  
30 I Attempting to Elude a Pursuing Police  
31 Vehicle (RCW 46.61.024)  
32 False Verification for Welfare (RCW  
33 74.08.055)  
34 Forged Prescription (RCW 69.41.020)  
35 Forged Prescription for a Controlled  
36 Substance (RCW 69.50.403)  
37 Forgery (RCW 9A.60.020)

1 Malicious Mischief 2 (RCW  
2 9A.48.080)  
3 Possess Controlled Substance that is a  
4 Narcotic from Schedule III, IV, or  
5 V or Non-narcotic from Schedule  
6 I-V (except phencyclidine or  
7 flunitrazepam) (RCW  
8 69.50.401(d))  
9 Possession of Stolen Property 2 (RCW  
10 9A.56.160)  
11 Reckless Burning 1 (RCW 9A.48.040)  
12 Taking Motor Vehicle Without  
13 Permission 2 (RCW  
14 9A.56.070(2))  
15 Theft 2 (RCW 9A.56.040)  
16 Theft of Rental, Leased, or Lease-  
17 purchased Property (valued at two  
18 hundred fifty dollars or more but  
19 less than one thousand five  
20 hundred dollars) (RCW  
21 9A.56.096(4))  
22 Unlawful Issuance of Checks or Drafts  
23 (RCW 9A.56.060)  
24 Unlawful Possession of Fictitious  
25 Identification (section 1 of this  
26 act)  
27 Unlawful Possession of Instruments of  
28 Financial Fraud (section 1 of this  
29 act)  
30 Unlawful Possession of Payment  
31 Instruments (section 1 of this act)  
32 Unlawful Possession of a Personal  
33 Identification Device (section 1 of  
34 this act)  
35 Unlawful Production of Payment  
36 Instruments (section 1 of this act)

1 Unlawful Use of Food Stamps (RCW  
2 9.91.140 (2) and (3))  
3 Vehicle Prowl 1 (RCW 9A.52.095)

4 **Sec. 8.** RCW 9.94A.515 and 2002 c 340 s 2, 2002 c 324 s 2, 2002 c  
5 290 s 7, 2002 c 253 s 4, 2002 c 229 s 2, 2002 c 134 s 2, and 2002 c 133  
6 s 4 are each reenacted and amended to read as follows:

7 TABLE 2  
8 CRIMES INCLUDED WITHIN  
9 EACH SERIOUSNESS LEVEL

10 XVI	Aggravated Murder 1 (RCW 11 10.95.020)
12 XV	Homicide by abuse (RCW 9A.32.055) 13 Malicious explosion 1 (RCW 14 70.74.280(1)) 15 Murder 1 (RCW 9A.32.030)
16 XIV	Murder 2 (RCW 9A.32.050)
17 XIII	Malicious explosion 2 (RCW 18 70.74.280(2)) 19 Malicious placement of an explosive 1 20 (RCW 70.74.270(1))
21 XII	Assault 1 (RCW 9A.36.011) 22 Assault of a Child 1 (RCW 9A.36.120) 23 Malicious placement of an imitation 24 device 1 (RCW 70.74.272(1)(a)) 25 Rape 1 (RCW 9A.44.040) 26 Rape of a Child 1 (RCW 9A.44.073)
27 XI	Manslaughter 1 (RCW 9A.32.060) 28 Rape 2 (RCW 9A.44.050) 29 Rape of a Child 2 (RCW 9A.44.076)
30 X	Child Molestation 1 (RCW 9A.44.083) 31 Indecent Liberties (with forcible 32 compulsion) (RCW 33 9A.44.100(1)(a)) 34 Kidnapping 1 (RCW 9A.40.020)

1 Leading Organized Crime (RCW  
2 9A.82.060(1)(a))  
3 Malicious explosion 3 (RCW  
4 70.74.280(3))  
5 Sexually Violent Predator Escape  
6 (RCW 9A.76.115)  
7 IX Assault of a Child 2 (RCW 9A.36.130)  
8 Explosive devices prohibited (RCW  
9 70.74.180)  
10 Hit and Run--Death (RCW  
11 46.52.020(4)(a))  
12 Homicide by Watercraft, by being  
13 under the influence of intoxicating  
14 liquor or any drug (RCW  
15 79A.60.050)  
16 Inciting Criminal Profiteering (RCW  
17 9A.82.060(1)(b))  
18 Malicious placement of an explosive 2  
19 (RCW 70.74.270(2))  
20 Robbery 1 (RCW 9A.56.200)  
21 Sexual Exploitation (RCW 9.68A.040)  
22 Vehicular Homicide, by being under  
23 the influence of intoxicating  
24 liquor or any drug (RCW  
25 46.61.520)  
26 VIII Arson 1 (RCW 9A.48.020)  
27 Homicide by Watercraft, by the  
28 operation of any vessel in a  
29 reckless manner (RCW  
30 79A.60.050)  
31 Manslaughter 2 (RCW 9A.32.070)  
32 Promoting Prostitution 1 (RCW  
33 9A.88.070)  
34 Theft of Ammonia (RCW 69.55.010)  
35 Vehicular Homicide, by the operation  
36 of any vehicle in a reckless  
37 manner (RCW 46.61.520)

1 VII Burglary 1 (RCW 9A.52.020)  
2 Child Molestation 2 (RCW 9A.44.086)  
3 Civil Disorder Training (RCW  
4 9A.48.120)  
5 Dealing in depictions of minor  
6 engaged in sexually explicit  
7 conduct (RCW 9.68A.050)  
8 Drive-by Shooting (RCW 9A.36.045)  
9 Homicide by Watercraft, by disregard  
10 for the safety of others (RCW  
11 79A.60.050)  
12 Indecent Liberties (without forcible  
13 compulsion) (RCW 9A.44.100(1)  
14 (b) and (c))  
15 Introducing Contraband 1 (RCW  
16 9A.76.140)  
17 Malicious placement of an explosive 3  
18 (RCW 70.74.270(3))  
19 Sending, bringing into state depictions  
20 of minor engaged in sexually  
21 explicit conduct (RCW  
22 9.68A.060)  
23 Unlawful Possession of a Firearm in  
24 the first degree (RCW  
25 9.41.040(1)(a))  
26 Use of a Machine Gun in Commission  
27 of a Felony (RCW 9.41.225)  
28 Vehicular Homicide, by disregard for  
29 the safety of others (RCW  
30 46.61.520)  
31 VI Bail Jumping with Murder 1 (RCW  
32 9A.76.170(3)(a))  
33 Bribery (RCW 9A.68.010)  
34 Incest 1 (RCW 9A.64.020(1))  
35 Intimidating a Judge (RCW  
36 9A.72.160)

1 Intimidating a Juror/Witness (RCW  
2 9A.72.110, 9A.72.130)  
3 Malicious placement of an imitation  
4 device 2 (RCW 70.74.272(1)(b))  
5 Rape of a Child 3 (RCW 9A.44.079)  
6 Theft of a Firearm (RCW 9A.56.300)  
7 Unlawful Storage of Ammonia (RCW  
8 69.55.020)  
9 V Abandonment of dependent person 1  
10 (RCW 9A.42.060)  
11 Advancing money or property for  
12 extortionate extension of credit  
13 (RCW 9A.82.030)  
14 Bail Jumping with class A Felony  
15 (RCW 9A.76.170(3)(b))  
16 Child Molestation 3 (RCW 9A.44.089)  
17 Criminal Mistreatment 1 (RCW  
18 9A.42.020)  
19 Custodial Sexual Misconduct 1 (RCW  
20 9A.44.160)  
21 Domestic Violence Court Order  
22 Violation (RCW 10.99.040,  
23 10.99.050, 26.09.300, 26.10.220,  
24 26.26.138, 26.50.110, 26.52.070,  
25 or 74.34.145)  
26 Extortion 1 (RCW 9A.56.120)  
27 Extortionate Extension of Credit  
28 (RCW 9A.82.020)  
29 Extortionate Means to Collect  
30 Extensions of Credit (RCW  
31 9A.82.040)  
32 Incest 2 (RCW 9A.64.020(2))  
33 Kidnapping 2 (RCW 9A.40.030)  
34 Perjury 1 (RCW 9A.72.020)  
35 Persistent prison misbehavior (RCW  
36 9.94.070)

1 Possession of a Stolen Firearm (RCW  
2 9A.56.310)  
3 Rape 3 (RCW 9A.44.060)  
4 Rendering Criminal Assistance 1  
5 (RCW 9A.76.070)  
6 Sexual Misconduct with a Minor 1  
7 (RCW 9A.44.093)  
8 Sexually Violating Human Remains  
9 (RCW 9A.44.105)  
10 Stalking (RCW 9A.46.110)  
11 Taking Motor Vehicle Without  
12 Permission 1 (RCW  
13 9A.56.070(1))  
14 IV Arson 2 (RCW 9A.48.030)  
15 Assault 2 (RCW 9A.36.021)  
16 Assault by Watercraft (RCW  
17 79A.60.060)  
18 Bribing a Witness/Bribe Received by  
19 Witness (RCW 9A.72.090,  
20 9A.72.100)  
21 Cheating 1 (RCW 9.46.1961)  
22 Commercial Bribery (RCW  
23 9A.68.060)  
24 Counterfeiting (RCW 9.16.035(4))  
25 Endangerment with a Controlled  
26 Substance (RCW 9A.42.100)  
27 Escape 1 (RCW 9A.76.110)  
28 Hit and Run--Injury (RCW  
29 46.52.020(4)(b))  
30 Hit and Run with Vessel--Injury  
31 Accident (RCW 79A.60.200(3))  
32 Identity Theft 1 (RCW 9.35.020(2)(a))  
33 Indecent Exposure to Person Under  
34 Age Fourteen (subsequent sex  
35 offense) (RCW 9A.88.010)  
36 Influencing Outcome of Sporting  
37 Event (RCW 9A.82.070)

1 Knowingly Trafficking in Stolen  
2 Property (RCW 9A.82.050(2))  
3 Malicious Harassment (RCW  
4 9A.36.080)  
5 Residential Burglary (RCW  
6 9A.52.025)  
7 Robbery 2 (RCW 9A.56.210)  
8 Theft of Livestock 1 (RCW 9A.56.080)  
9 Threats to Bomb (RCW 9.61.160)  
10 Use of Proceeds of Criminal  
11 Profiteering (RCW 9A.82.080 (1)  
12 and (2))  
13 Vehicular Assault, by being under the  
14 influence of intoxicating liquor or  
15 any drug, or by the operation or  
16 driving of a vehicle in a reckless  
17 manner (RCW 46.61.522)  
18 Willful Failure to Return from  
19 Furlough (RCW 72.66.060)  
20 III Abandonment of dependent person 2  
21 (RCW 9A.42.070)  
22 Assault 3 (RCW 9A.36.031)  
23 Assault of a Child 3 (RCW 9A.36.140)  
24 Bail Jumping with class B or C Felony  
25 (RCW 9A.76.170(3)(c))  
26 Burglary 2 (RCW 9A.52.030)  
27 Communication with a Minor for  
28 Immoral Purposes (RCW  
29 9.68A.090)  
30 Criminal Gang Intimidation (RCW  
31 9A.46.120)  
32 Criminal Mistreatment 2 (RCW  
33 9A.42.030)  
34 Custodial Assault (RCW 9A.36.100)  
35 Escape 2 (RCW 9A.76.120)  
36 Extortion 2 (RCW 9A.56.130)  
37 Harassment (RCW 9A.46.020)

1 Intimidating a Public Servant (RCW  
2 9A.76.180)  
3 Introducing Contraband 2 (RCW  
4 9A.76.150)  
5 Malicious Injury to Railroad Property  
6 (RCW 81.60.070)  
7 Patronizing a Juvenile Prostitute  
8 (RCW 9.68A.100)  
9 Perjury 2 (RCW 9A.72.030)  
10 Possession of Incendiary Device (RCW  
11 9.40.120)  
12 Possession of Machine Gun or Short-  
13 Barreled Shotgun or Rifle (RCW  
14 9.41.190)  
15 Promoting Prostitution 2 (RCW  
16 9A.88.080)  
17 Recklessly Trafficking in Stolen  
18 Property (RCW 9A.82.050(1))  
19 Securities Act violation (RCW  
20 21.20.400)  
21 Tampering with a Witness (RCW  
22 9A.72.120)  
23 Telephone Harassment (subsequent  
24 conviction or threat of death)  
25 (RCW 9.61.230)  
26 Theft of Livestock 2 (RCW 9A.56.080)  
27 Unlawful Imprisonment (RCW  
28 9A.40.040)  
29 Unlawful possession of firearm in the  
30 second degree (RCW  
31 9.41.040(1)(b))  
32 Vehicular Assault, by the operation or  
33 driving of a vehicle with disregard  
34 for the safety of others (RCW  
35 46.61.522)  
36 Willful Failure to Return from Work  
37 Release (RCW 72.65.070)

1 II Computer Trespass 1 (RCW  
2 9A.52.110)  
3 Counterfeiting (RCW 9.16.035(3))  
4 Escape from Community Custody  
5 (RCW 72.09.310)  
6 Health Care False Claims (RCW  
7 48.80.030)  
8 Identity Theft 2 (RCW 9.35.020(2)(b))  
9 Improperly Obtaining Financial  
10 Information (RCW 9.35.010)  
11 Malicious Mischief 1 (RCW  
12 9A.48.070)  
13 Possession of Stolen Property 1 (RCW  
14 9A.56.150)  
15 Theft 1 (RCW 9A.56.030)  
16 Theft of Rental, Leased, or Lease-  
17 purchased Property (valued at one  
18 thousand five hundred dollars or  
19 more) (RCW 9A.56.096(4))  
20 Trafficking in Insurance Claims (RCW  
21 48.30A.015)  
22 Unlawful Practice of Law (RCW  
23 2.48.180)  
24 Unlicensed Practice of a Profession or  
25 Business (RCW 18.130.190(7))  
26 I Attempting to Elude a Pursuing Police  
27 Vehicle (RCW 46.61.024)  
28 False Verification for Welfare (RCW  
29 74.08.055)  
30 Forgery (RCW 9A.60.020)  
31 Malicious Mischief 2 (RCW  
32 9A.48.080)  
33 Possession of Stolen Property 2 (RCW  
34 9A.56.160)  
35 Reckless Burning 1 (RCW 9A.48.040)

1 Taking Motor Vehicle Without  
2 Permission 2 (RCW  
3 9A.56.070(2))  
4 Theft 2 (RCW 9A.56.040)  
5 Theft of Rental, Leased, or Lease-  
6 purchased Property (valued at two  
7 hundred fifty dollars or more but  
8 less than one thousand five  
9 hundred dollars) (RCW  
10 9A.56.096(4))  
11 Unlawful Issuance of Checks or Drafts  
12 (RCW 9A.56.060)  
13 Unlawful Possession of Fictitious  
14 Identification (section 1 of this  
15 act)  
16 Unlawful Possession of Instruments of  
17 Financial Fraud (section 1 of this  
18 act)  
19 Unlawful Possession of Payment  
20 Instruments (section 1 of this act)  
21 Unlawful Possession of a Personal  
22 Identification Device (section 1 of  
23 this act)  
24 Unlawful Production of Payment  
25 Instruments (section 1 of this act)  
26 Unlawful Use of Food Stamps (RCW  
27 9.91.140 (2) and (3))  
28 Vehicle Prowl 1 (RCW 9A.52.095)

29 NEW SECTION. **Sec. 9.** Section 7 of this act expires July 1, 2004.

30 NEW SECTION. **Sec. 10.** Section 8 of this act takes effect July 1,  
31 2004.

--- END ---